



General Assembly

February Session, 2002

Amendment

LCO No. 3801

SB0063903801SR0

Offered by:

SEN. COOK, 18th Dist.
SEN. MCKINNEY, 28th Dist.
SEN. FREEDMAN, 26th Dist.
SEN. GENUARIO, 25th Dist.
SEN. DELUCA, 32nd Dist.
SEN. NICKERSON, 36th Dist.
SEN. HERLIHY, 8th Dist.
SEN. RORABACK, 30th Dist.
SEN. KISSEL, 7th Dist.
SEN. GUGLIELMO, 35th Dist.
SEN. CAPPIELLO, 24th Dist.
REP. WARD, 86th Dist.
REP. BELDEN, 113th Dist.
REP. CAFERO, 142nd Dist.
REP. FLAHERTY, 68th Dist.
REP. BERNHARD, 136th Dist.
REP. BLACKWELL, 12th Dist.
REP. BOUCHER, 143rd Dist.
REP. CARON, 44th Dist.
REP. CARSON, 108th Dist.
REP. CHAPIN, 67th Dist.
REP. CLEARY, 80th Dist.
REP. D'AMELIO, 71st Dist.
REP. DANDROW, 30th Dist.
REP. PRELLI, 63rd Dist.
REP. POWERS, 151st Dist.

REP. DELGOBBO, 70th Dist.
REP. FAHRBACH, 61st Dist.
REP. FARR, 19th Dist.
REP. FEDELE, 147th Dist.
REP. FLOREN, 149th Dist.
REP. FREY, 111th Dist.
REP. GIBBONS, 150th Dist.
REP. GREENE, 105th Dist.
REP. HAMZY, 78th Dist.
REP. HEAGNEY, 16th Dist.
REP. NOUJAIM, 74th Dist.
REP. NYSTROM, 46th Dist.
REP. O'NEILL, 69th Dist.
REP. PISCOPO, 76th Dist.
REP. ROWE, 123rd Dist.
REP. RYAN, 141st Dist.
REP. SAN ANGELO, 131st Dist.
REP. SAWYER, 55th Dist.
REP. SCRIBNER, 107th Dist.
REP. SHEA, 112th Dist.
REP. STONE, 134th Dist.
REP. STRIPP, 135th Dist.
REP. TYMNIAK, 133rd Dist.
REP. WASSERMAN, 106th Dist.
REP. WINKLER, 41st Dist.

To: Senate Bill No. 639

File No. 469

Cal. No. 301

**"AN ACT CONCERNING EXPENDITURES FOR THE PROGRAMS
OF THE DEPARTMENT OF ENVIRONMENTAL PROTECTION."**

1 Strike everything after the enacting clause and substitute the
2 following in lieu thereof:

3 "Section 1. (NEW) (*Effective from passage*) Notwithstanding any other
4 provision of the general statutes, no state agency, including, but not
5 limited to, the Department of Environmental Protection and the
6 Connecticut Siting Council, shall consider or render a final decision
7 after the effective date of this section for a period of one year after the
8 effective date of this section for any applications relating to (1) an
9 electric power line crossing or gas pipeline crossing of Long Island
10 Sound including, but not limited to, an electrical power line or gas
11 pipeline application that is pending or has been received as of the
12 effective date of this section, or (2) an aboveground electric
13 transmission expansion project including, but not limited to, an
14 application for such project that is pending or has been received as of
15 the effective date of this section. During such twelve-month
16 moratorium on applications relating to crossings of Long Island
17 Sound, the Institute of Sustainable Energy at the Eastern Connecticut
18 State University shall convene a working group of all interested parties
19 to establish priorities and develop strategies for minimizing the
20 number and geographical distributions of such crossings of Long
21 Island Sound and shall make recommendations to the General
22 Assembly concerning such strategy. The provisions of this section shall
23 not apply to any project to replace an existing leaking cross-sound
24 electric transmission cable.

25 Sec. 2. (NEW) (*Effective from passage*) (a) Not later than one year from
26 the effective date of this section, a comprehensive environmental
27 assessment and plan shall be completed under the direction of the
28 Institute for Sustainable Energy in conjunction with the assistance of a
29 representative of: (1) The Department of Environmental Protection; (2)

30 the aquaculture division of the Department of Agriculture; (3) the
31 Department of Public Utility Control; (4) the regional independent
32 system operator, as defined in section 16-1 of the general statutes, as
33 amended; (5) the National Marine Fisheries; (6) Save the Sound, Inc.;
34 (7) the Connecticut Fund for the Environment, Inc.; and (8) no more
35 than three representatives each from the electrical cable power
36 industry and the gas pipeline industry.

37 (b) Nothing in this section shall prohibit the participation of other
38 persons in the development of the comprehensive environmental
39 assessment and plan.

40 (c) The comprehensive environmental assessment and plan shall
41 include, but not be limited to, the following: (1) An assessment of the
42 present status, future potential and environmental impacts of
43 proposed methods of providing power to Long Island that do not
44 require the laying of a power line or cable within Long Island Sound;
45 (2) an evaluation of methods to minimize the numbers and impacts of
46 electric power line crossings and gas pipeline crossings within Long
47 Island Sound; (3) an identification of those resources in Long Island
48 Sound that are ecologically sensitive including, but not limited to,
49 areas of environmental contamination that should be avoided; (4)
50 recommendations for providing for regional energy needs while
51 protecting Long Island Sound to the maximum extent possible; (5)
52 recommendations on natural resource performance bond levels to
53 reimburse the state in the event that future electric power line
54 crossings or gas pipeline crossings substantially damage the public
55 trust in the natural resources of Long Island Sound; and (6) an
56 identification of regional energy needs and the facilities necessary to
57 ensure the adequate supply of reliable energy to the region.

58 Sec. 3. (NEW) (*Effective from passage*) Any application for an electric
59 power line or gas pipeline crossing of Long Island Sound that is
60 considered by either the Department of Environmental Protection or
61 the Connecticut Siting Council after the creation of the comprehensive
62 environmental assessment and plan, described in section 2 of this act,

63 shall additionally be evaluated for such application's: (1) Likelihood to
 64 impair the public trust in Long Island Sound based on the information
 65 contained in the comprehensive environmental assessment and plan;
 66 and (2) the extent to which the application is consistent with the
 67 recommendations of the comprehensive environmental assessment
 68 and plan described in section 2 of this act.

69 Sec. 4. (NEW) (*Effective from passage*) Notwithstanding any provision
 70 of the general statutes, the Connecticut Siting Council, within fifteen
 71 days of the effective date of this section shall submit the state's
 72 advisory opinion to the Federal Energy Regulatory Commission
 73 requesting that, on behalf of the state, the Federal Energy Regulatory
 74 Commission not approve any individual new electric power line
 75 crossing or gas pipeline crossings until the comprehensive
 76 environmental assessment and plan described in section 2 of this act is
 77 completed and that the Federal Energy Regulatory Commission avoid
 78 environmental damage to Long Island Sound to the greatest extent
 79 possible when licensing any future gas pipelines by considering the
 80 recommendations contained in the comprehensive environmental
 81 assessment and plan described in section 2 of this act.

82 Sec. 5. (NEW) (*Effective from passage*) Nothing in this act shall be
 83 construed to affect the repair, as necessary, of existing cables and
 84 pipelines within Long Island Sound."

This act shall take effect as follows:	
Section 1	<i>from passage</i>
Sec. 2	<i>from passage</i>
Sec. 3	<i>from passage</i>
Sec. 4	<i>from passage</i>
Sec. 5	<i>from passage</i>